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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,251	07/12/2001	Jiangping Wu	9555.94US11	3075

23552 7590 03/18/2004

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EXAMINER

ROBINSON, HOPE A

ART UNIT PAPER NUMBER

1653

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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031004

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

See the attached communication.

### **DETAILED ACTION**

1. Applicant's response to the Office Action mailed June 27, 2003 on December 29, 2003 is acknowledged.

#### ***Claim Disposition***

2. Claims 1-12 have been canceled. Claims 13-26 have been added.
3. The amendment filed on December 29, 2003 canceled the claims originally filed (1-12) which were examined, directed to "a method for reversing the ongoing proliferation or activity or both of activated blood cells, which comprises the step of administering an effective amount of a proteasome inhibitor to an individual in need for such a treatment". The new claims are directed to "a method of treating a mammal suffering from an adverse immune response, inflammation or septic shock, which comprises the step of administering an effective amount of a proteasome inhibitor 16 hours or more after activation of T cells", which differs from the method originally presented in the application in the method steps and the endpoint. In addition, since the method claims as amended are directed to an invention that is independent or distinct from the invention originally claimed for the reasons indicated above and since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. The amended claims would have been subjected to a Restriction Requirement had they

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been presented at the time of filing. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hope A. Robinson whose telephone number is 571-272-0957. The examiner can normally be reached on Monday-Friday from 9:00 a.m. to 6:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S.F. Low can be reached on 571-272-0951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KAREN COCHRANE CARLSON, PH.D  
PRIMARY EXAMINER

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Hope Robinson, MS 

Patent Examiner